IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 26562 of 2005

Between:

J.Sandeep Sharma, S/o.Viswanathan,
R/o.16-11-511/D/212 & 213, Flat No.204,

Venkat Vihar- Apartments, Shalivahana Nagar,

Moosarambagh, Hyderabad-36.

..... PETITIONER

AND

The Regional Passport Officer, Secunderabad.

.....RESPONDENT

* * *

ORDER:

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Aggrieved by the inaction of the respondent in respect of correction of date of birth in passport bearing No.A4577198, the petitioner filed the present writ petition.

2. Heard the learned counsel for the petitioner. None appears for the respondent pursuant to the letter addressed by the Chief Passport Officer, CPV Division of Ministry of External Affairs, New Delhi vide fax message No.VI/402/2/17/2005, dated 03rd August 2005 informing the Central Government Standing Counsel that the Government of India is not interested in contesting the case.

3. The petitioner obtained a passport bearing No.A4577198 when he was studying VII class. But without there being any proof, his date of birth was wrongly entered as 13.09.1985 instead of correct date of birth 13.10.1985. The said passport was issued on 24.12.1997 and valid up to 23.12.2007. The petitioner completed school education and secondary school certificate VK 571413 PC/04/0030075/1 was issued to the petitioner by the Board of Secondary Education, Andhra Pradesh having certifying that the petitioner Sandeep Sarma Josyula, son of Viswanathan Josyula studied in Vignan Vidyalayam, Nizampet with Roll No.0082508 and he passed the SSC examination held in March 2000 in first division with English as the medium of instruction and the date of birth is 13.10.1985. He was admitted in Narayana Junior College with Admission No.992 and his date of birth was also recorded as per the college record as 13.10.1985. As his date of birth was wrongly entered in the passport, the petitioner made an application to the respondent on 05.12.2005 for making necessary corrections in the passport by entering the correct date of birth so as to enable him to appear TOEFL examination on 23.01.2006. But the said representation has not been considered so far.

4. Admittedly, there appears no record in proof of support of his date of birth when the passport was issued on 24.12.1997 entering date of birth as 13.09.1985. Petitioner passed the SSC examination only after obtaining the passport and SSC certificate and school records shows his date of birth as 13.10.1985. Therefore, I am of the opinion that as per the clarifications/instructions issued from time to time by the passport authority, the petitioner is entitled for correction of date of birth in the passport based on

the school/college records.

5. Having regard to the facts and circumstances of the case, the respondent is directed to consider and dispose of the application dated 05.12.2005 submitted by the petitioner correcting date of birth in the passport of the petitioner based on the secondary school certificate and pass appropriate orders within four weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs.

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V.ESWARAIAH, J.

Date: 13th December 2005.

BSB